

SENATE BILL 2434

By Yarbrow

AN ACT to amend Tennessee Code Annotated, Title 50,
relative to payment of wages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding this title, in addition to any other penalty in § 50-2-103 or § 50-2-109, and without regard to any administrative remedies in this part, if an employer fails to pay wages to an employee in accordance with § 50-2-103, the employee may bring an action against the employer in a court of competent jurisdiction to recover payment of the wages due plus prejudgment interest on those wages as provided in § 47-14-123.

(b) In addition to the remedy provided in subsection (a):

(1) If the court finds that the employer knowingly failed to pay wages in accordance with § 50-2-103, the court also shall award the employee reasonable attorney fees and court costs; and

(2) If the court finds that the employer's failure to pay wages in accordance with § 50-2-103 was willful and with the intent to defraud the employee, the court also shall award the employee:

(A) Reasonable attorney fees and court costs; and

(B) An additional sum equal to the wages due.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it. This act shall apply to causes of action arising on or after July 1, 2018.